

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION



UNITED STATES OF AMERICA,

Plaintiff,

v.

DEREK WILLIAM DUNWIDDIE,

Defendant.

4 : 13 CR 00115 CDP

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(1));

(b) "sexually explicit conduct" to mean actual or simulated--

(i) sexual intercourse, including genital-genital, anal-genital, oral-genital, oral-anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A));

(c) “computer” to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where-

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. (18 U.S.C. §2256(8)).

2. The “Internet” was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about January 1, 2010, and on or about August 17, 2010, within the Eastern District of Missouri and elsewhere,

DEREK WILLIAM DUNWIDDIE,

the Defendant herein, did knowingly access with the intent to view an image of child pornography and did knowingly possess material that contained an image of child pornography

that was produced using materials that traveled in interstate and foreign commerce, to wit, a Western Digital hard drive, serial number WXEX08V98474, said hard drive having been produced outside Missouri and therefore having traveled in interstate and foreign commerce, and said hard drive contained child pornography, including but not limited to, the following:

1) "Babysitter And Girl 8Yo - 10Yo Having Sex With Older Sister (Anal Toys!!) Incest - Pedo Mom Helps Dad Fuck His Tiny Daughter(B) (Pthc - 20m15S).mpg" - a graphic video file depicting a minor female in a lascivious display of her genitals, a female touching the minor females genital area with her fingers and with an object, and a female performing oral sex on a minor female; and

2) "(Pthc) Open f49-I (9Yo Girl Fucked With 11Yo Boy) (kleuterkutje) (pedo) (ptsc) (TVG) (babyshivid) (childlover) (r@ygold) (nablot) (st peter(1).mpg" - a graphic video file depicting a minor male and minor female touching each other's genitals, a minor female and male engaging in sexual intercourse, and a minor female and male engaging in anal intercourse; In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT II

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about January 1, 2010, and on or about August 17, 2010, within the Eastern District of Missouri and elsewhere,

DEREK WILLIAM DUNWIDDIE,

did knowingly access with the intent to view an image of child pornography and did knowingly

possess material that contained an image of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, a Western Digital hard drive, serial number WCAV55471798, said hard drive having been produced outside Missouri and therefore having traveled in interstate and foreign commerce, and said hard drive contained child pornography, including but not limited to, the following:

- 1) "1280628588450.jpg" - a graphic image file two minor a males in a lascivious display of their genitals; and
- 2) " 1280628750884.jpg" - a graphic image file of a minor male performing oral sex on another minor male;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

A TRUE BILL.

FOREPERSON

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United States Attorney

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